

occupants are diverse from Plaintiff. Additionally, Seals claims he is a citizen of Texas. Notice Removal, ECF No. 1. Ordinarily, an in-state defendant may not remove a case to federal court on the basis of diversity jurisdiction. 28 U.S.C. § 1441(b)(2). Removal by an in-state defendant on the basis of diversity of citizenship is a procedural, not jurisdictional defect, which may be waived if not asserted within thirty days from the date of removal. *See H&H Terminals, LC v. R. Ramos Family Trust*, 634 F. Supp. 2d 770, 773-74 (W.D. Tex. 2009).

Accordingly, it is **ORDERED** that the parties file their respective briefs on the issue of subject-matter jurisdiction or remand no later than **July 20, 2015**.

SO ORDERED on this **13th day of July, 2015**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE